

**AFFIDAVIT OF SPECIAL AGENT JOSEPH IANNACONE**  
**IN SUPPORT OF A CRIMINAL COMPLAINT**

I, Joseph Iannaccone, Special Agent with the Department of Homeland Security, Homeland Security Investigations, being duly sworn, depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I have been employed as a Special Agent of the U.S. Department of Homeland Security, Homeland Security Investigations (“HSI”) since 2009, and am currently assigned to the office of the Special Agent in Charge, Boston, MA. While employed by HSI, I have investigated federal criminal violations related to high technology or cybercrime, child exploitation, and child pornography. I have gained experience through training and everyday work related to these types of investigations. I have received training in the area of child pornography and child exploitation, and have had the opportunity to observe and review numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all forms of media, including computer media. Moreover, I am a federal law enforcement officer who is engaged in enforcing criminal laws, including 18 U.S.C. §§ 1470, 2251, 2252A, and 2422, and I am authorized by law to request a search warrant.
2. I submit this affidavit in support of a criminal complaint charging Brian ORLANDELLA (YOB 1972) with the sexual exploitation of children, in violation of 18 U.S.C. § 2251, and the transfer of obscene material to minors, in violation of 18 U.S.C. § 1470.
3. The facts in this affidavit come from my personal observations and review of records, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is probable cause to secure a criminal complaint and does not set forth all of my knowledge about this matter. Where statements of others are set forth below, they are set forth in substance and in part.

### STATEMENT OF PROBABLE CAUSE

4. On May 21 2018, a local police department in Texas (“the PD”) was contacted by the mother of a 13-year-old female (YOB 2004, hereinafter “Minor A,”)<sup>1</sup> concerning a possible child exploitation case. Minor A’s mother reported to the PD that her daughter was using the Kik<sup>2</sup> application on her mobile phone, and that adult male users were requesting photos of her inserting objects into her vagina. Minor A’s mother showed the PD portions of Minor A’s conversations with other users and gave Minor A’s phone to the PD.
5. On May 22, 2018, Minor A’s mother granted the PD permission to search Minor A’s Kik account and phone. In so doing, the PD observed communications between Minor A and an individual utilizing the Kik username gianninyny.
6. The communications visible to the PD between Minor A and gianninyny began on or about May 18, 2018. I have reviewed photographs of these messages, and have reproduced them below as they are captured in the photographs.
7. In the messages, both Minor A and gianninyny refer to him as "Daddy;" in the first set of messages available to me, Minor A tells him that “U are the only daddy” and sends a “selfie” that shows her face and shoulders. It appears that she is carrying a notebook.

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<sup>1</sup> Minor A’s identity is known to law enforcement.

<sup>2</sup> Kik Messenger, commonly called Kik, is a freeware instant messaging mobile app from the Canadian company Kik Interactive, available free of charge on iOS and Android operating systems. It uses a smartphone's (or other mobile device's) data plan or Wi-Fi to transmit and receive messages, photos, videos, and other content after users register a username. A Kik username Kik is known for its features preserving users' anonymity, such as allowing users to register without providing a telephone number, true name, or true email address.

8. Gianninyny tells Minor A she “should make Daddy a video” and asks her “Make dada a video?” on May 19, 2018. On May 20, 2018, he again discusses her making videos, in the following exchange:

Gianninyny: Hi  
Wyd?

Minor A: Just got out of tub

Gianninyny: Yea???? Can Daddy see?

Minor A: I used my brush hehe

Gianninyny: Mmmm yea? Did u make any videos?

Minor A: Yeah

Gianninyny: Mmmm show dada  
Plzzzz

Minor A: [Image]<sup>3</sup>

The image that is visible in the screenshot appears to be the initial frame of a video, in that it contains the typical “play button” icon (a triangle within a circle). Visible in the frame is the pubic area of a pubescent female, with what appears to be the handle of a purple hairbrush inserted into the vagina.

9. In another exchange on May 20, 2018, they write:

Gianninyny: Baby. Help Daddy cum

Minor A: How

Gianninyny: I want nudes... And for u to talk like Daddy’s dirty slut ok?

Minor A: [Image referenced above in Paragraph 10]

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<sup>3</sup> The Court has reviewed this image and found that it depicts a minor engaged in sexually explicit conduct.

Gianniny: Mmm yes  
U already sent that tho

10. Further in the exchange, they write:

Gianniny: Where u want Daddy's cum

Minor A: [Image, almost the entirety of which appears black]  
In mouth

Gianniny: Mmmm  
Baby more light... And video it pussy

Minor A: [Image]<sup>4</sup>

The image that is visible in the screenshot depicts a close-up view of a hand spreading open the vagina of a pubescent female.

11. The exchange continues:

Gianniny: Mmmm good girl  
Such a good lil teen slut  
Make daddy a video of that tight teen cunt

Minor A: [Image]<sup>5</sup>

Gianniny: Mmmm don't u stop

Minor A: Sorry

Gianniny: Plz more

Minor A: I had to something for my mom

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<sup>4</sup> The Court has reviewed this image and found that it depicts a minor engaged in sexually explicit conduct.

<sup>5</sup> The Court has reviewed this image and found that it depicts a minor engaged in sexually explicit conduct.

The image that is visible in the screenshot appears to be the initial frame of a video, in that it contains the typical “play button” icon (a triangle within a circle). Visible in the frame is a close-up view of a hand spreading open the vagina of a pubescent female.

12. During the course of the communications I observed, gianninyny sends Minor A an image and videos of his penis. None of the depictions show his face. Along with the screenshots, the PD sent two videos of gianninyny masturbating. In both videos and one image, he can be seen wearing a blue bracelet on what appears to be his left wrist.
13. In the course of their communications, gianninyny refers to Minor A as his “lil teen slut.” On May 19, 2018, Minor A sends a photo of a drawing she made on graph paper that reads, “I love you Daddy.” Gianninyny responds, explicitly asking her age:

Gianninyny: Awwwww. Daddy loves you too  
Baby how old are u?

Minor A: 14  
Why

Gianninyny: Ubsur ur ok with my age? I’m like WAY older

The following day, Minor A tells him that she has a track meet.

14. In response to a subpoena issued on June 21, 2018, on June 22, 2018, Kik provided the PD with certain subscriber information related to the gianninyny account, including a log of connection IP addresses.<sup>6</sup> There were two main IP addresses used to log onto the account.

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<sup>6</sup> An internet protocol address, also known as a IP address, is a numerical label assigned to each device connected to a computer network that uses the Internet Protocol for communication. Investigators can typically procure subscriber information for an IP address belonging to particular cable/internet providers, which allows them to use such IP addresses to determine the physical address from which an individual connected to the internet.

One of those was registered to Verizon Wireless,<sup>7</sup> and the other – 73.69.51.85 – belongs to Comcast Cable, LLC (“Comcast”). The Kik return also listed the phone associated with the account as a Motorola XT1635-01.

15. In response to a July 11, 2018 subpoena, on July 30, 2018, Comcast provided the following subscriber information for the IP address:

Subscriber name: Brian Orlandella  
Service address: 34 Central St., Apt. 2  
Beverly, MA 01915-5827  
Subscriber phone: xxx-xxx-5793; xxx-xxx-3967<sup>8</sup>  
User IDs: xxxxxxxxxxxxxxxx@comcast.net

16. The PD subsequently referred the matter to HSI Beaumont (Texas), and the matter was referred to HSI Boston on November 1, 2018. On or about November 13, 2018, HSI Boston received copies of the photographed Kik conversation between Minor A and gianninyny, other media from Minor A’s phone, and the aforementioned Kik and Comcast subpoena returns.
17. HSI Boston determined that the Comcast service address is ORLANDELLA’s residential address. Public records indicate that ORLANDELLA is an Assistant Chief Probation Officer at the Lynn District Court. I have viewed photographs of ORLANDELLA from his wife’s publicly-accessible social media account; based on those photographs, and on the observations I made of him during our interactions today, I believe that he resembles the person depicted in the gianninyny profile picture.

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<sup>7</sup> I know from my training and experience that Verizon Wireless is not able to identify a user by such an IP address.

<sup>8</sup> A search of CLEAR, a commercially-available public records search tool, shows that both phone numbers are registered to Verizon Wireless and associated with ORLANDELLA.

18. One of the photographs included in the social media account shows ORLANDELLA wearing a blue bracelet on his left wrist, which appears similar to the blue bracelet observed in the videos that gianninyny sent to Minor A, as referenced above in Paragraph 12.

#### **Execution of the Search Warrant**

19. Based in part on the foregoing, this Court issued search warrants to search the person and residence of ORLANDELLA for evidence, fruits, and instrumentalities of violations of 18 U.S.C. §§ 1470, 2251, 2252A, and 2422. Agents executed the search warrant on December 3, 2018 at approximately 6:05 a.m.
20. ORLANDELLA was present in the home at the time of execution. He was advised of and executed a written waiver of his rights pursuant to Miranda and agreed to speak with agents on scene. Portions of the interview were recorded. The following statements are summary in nature.
21. ORLANDELLA admitted to having used Kik but said that he did not know when the last time he used it was and he did not remember his username. When agents showed him the gianninyny profile, he ultimately admitted that he was the adult male depicted in the profile picture.
22. When asked, ORLANDELLA said it was possible that he had sent pornographic videos of himself to other users. When asked if he had ever received images or videos of others, he said that it was possible.
23. At some point, agents showed ORLANDELLA various screenshots of videos and images sent to Minor A in the Kik conversation outlined above, some of which show an adult male masturbating in a bathroom. ORLANDELLA admitted that it was his bathroom. I

observed this bathroom and believe it to be the room depicted in the screenshots and in the videos recovered from Minor A's phone. When he was asked whether it could be someone else in the screenshots, he said it would be doubtful.

24. During the execution of the search, ORLANDELLA gave written consent for agents to search his vehicle. In the car, agents located a camouflage baseball hat with an American flag emblem across the front. The hat appears to be the same as or similar to the one visible in the gianniny Kik account profile picture. Agents also located a blue bracelet in ORLANDELLA's bedroom, which appears to be the same as or similar to the one depicted in the masturbation videos recovered from Minor A's phone, as referenced above. ORLANDELLA claimed ownership of both items.
25. During the execution of the search, agents located three phones, including two that matched the make and model number of the device most recently registered to the gianniny Kik account. Forensic analysis of the phones is ongoing.

### **CONCLUSION**

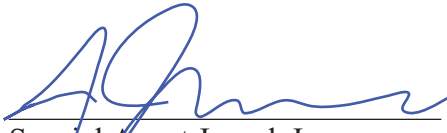
26. Based on all of the foregoing, I submit that there is probable cause to believe that:
  - a. on various dates between on or about May 18, 2018 and on or about May 20, 2018, ORLANDELLA did knowingly employ, use, persuade, induce, entice, and coerce a minor, "Minor A," to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct and the visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means,




including by computer, and attempted to do so, in violation of 18 U.S.C. §§ 2251(a) and (e); and

- b. on various dates between on or about May 18, 2018 and on or about May 20, 2018, ORLANDELLA did use any facility and means of interstate and foreign commerce to knowingly transfer obscene matter to Minor A, an individual who had not attained the age of 16 years, knowing that Minor A had not attained the age of 16 years, and attempted to do so, in violation of 18 U.S.C. § 1470.

Sworn to under the pains and penalties of perjury,

  
Special Agent Joseph Iannaccone  
Homeland Security Investigations

Subscribed and sworn to before me on December 3, 2018.

  
Honorable Donald L. Cabell  
United States Magistrate Judge

